

and transported from the State of New Jersey into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained phenyl salicylate (salol), sodium salicylate, sodium bicarbonate, and a small amount of alkaloids.

It was alleged in the libel that the article was misbranded in that the following statements regarding the therapeutic and curative effects of the said article, borne on the label, (tin box) "Breaks-It * * * a preventive of Influenza. Running of the nose, fullness of the head or a chilly feeling are the first signs of danger and should be met promptly by taking Breaks-It * * * take * * * until symptoms disappear," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On April 4, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16550. Misbranding of Sternox. U. S. v. Six Packages of Sternox. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 23374. I. S. No. 03095. S. No. 1530.)

On February 5, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 packages of Sternox, remaining in the original unbroken packages at Derby, Conn., alleging that the article had been shipped by the Sterno Corporation, New York, N. Y., on or about January 5, 1929, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petrolatum containing small amounts of camphor, menthol, turpentine, thyme, and eucalyptus oils.

It was alleged in the libel that the article was misbranded in that the following statements, regarding the curative and therapeutic effects of the said article, borne on the labels, (display carton) "For Coughs, Sore Throat, Etc.," (tube) "For * * * Grippe, Croup, Influenza, etc. * * * Directions * * * For inflammation, Soreness and Congestion apply Sternox Freely," (cartons) "For * * * Grippe, Croup, Influenza, etc. * * * An efficient aid in the treatment of Grippe, Croup, Influenza, Whooping Cough, Bronchitis, Asthma, Catarrh, Pneumonia, Neuralgia * * * Inflammation, Congestion, etc.," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth and falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On June 3, 1929, the claimant for the property having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*